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END5007USNPAmendments to the Claims

Please amend the claims as set forth below without prejudice to Applicant filing one or more continuation applications with claims originally filed or otherwise previously presented.

1. (currently amended) A biopsy device comprising:
a hollow biopsy needle having a tissue receiving port;
a hollow cutter having a distal end advancable within the biopsy needle to sever tissue received within the tissue receiving port; and
a sample tube advancable within the hollow cutter when the distal end of the cutter is positioned within the biopsy needle, the sample tube having an open distal end sized for receiving a tissue sample severed by the hollow cutter defining a generally circular opening, wherein the sample tube defines a central axis, wherein the generally circular opening is positioned on the central axis such that the central axis perpendicularly intersects the generally circular opening, the sample tube being releasably supported on the biopsy device such that the sample tube and at least one tissue sample stored therein may be removed from the biopsy device without disassembling the biopsy device and advancable within the cutter.
2. (currently amended) The biopsy device of Claim 1 wherein the sample tube is adapted to store multiple samples in an end to end configuration~~is releasably coupled to the biopsy device.~~
3. (original) The biopsy device of Claim 1 comprising a vacuum source in communication with the sample tube.
4. (original) The biopsy device of Claim 1 wherein the sample tube is advanced by fluid pressure.
5. (original) The biopsy device of Claim 1 wherein the sample tube is advanced pneumatically.

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6. (original) The biopsy device of Claim 1 comprising a piston operatively associated with the sample tube.
7. (original) The biopsy device of Claim 1 comprising apparatus for advancing and retracting the cutter within the biopsy needle.
8. (currently amended) The biopsy device of Claim 7 comprising apparatus for advancing and retracting the sample tube within the cutter.
9. (original) The device of Claim 1 wherein the hollow needle comprises a lateral tissue receiving port spaced from the distal end of the needle.
10. (original) The device of Claim 1 wherein the sample tube comprises a vacuum lumen and a sample lumen.
11. (original) The device of Claim 1 wherein the sample tube comprises a tube wall feature for retaining tissue samples.
12. (original) The device of Claim 11 wherein the tube wall feature comprises a notch disposed adjacent the distal end of the sample tube.
13. (original) The biopsy device of Claim 1 comprising a rotating journal for rotating and advancing the cutter.
14. (currently amended) The biopsy device of Claim 1 wherein the cutter has at least one hole extending through an outer surface of the cutter and spaced from a distal end of the cutter, the at least one hole through the cutter positioned for providing vacuum axially through the cutter when at least one tissue sample is disposed within the sample tube within the cutter.

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15. (original) The biopsy device of Claim 14 wherein the cutter has a plurality of holes spaced from the distal end of the cutter.
16. (previously amended) A biopsy device comprising:
a hollow biopsy needle having a lateral tissue receiving port;
a hollow cutter advancable within the biopsy needle to sever tissue received within the tissue receiving port;
a sample tube having an open distal end defining a distal opening, wherein the sample tube defines a central axis, wherein the distal opening defines a generally circular plane transverse to the sample tube, wherein the central axis intersects the plane, wherein the sample tube further comprises a proximal end in communication with a source of vacuum, the sample tube being releasably supported on the biopsy device, and the sample tube advancable within the cutter; and
a drive mechanism for advancing and rotating the cutter within the biopsy needle, wherein the drive mechanism comprises an internally threaded, rotatably driven component for advancing and rotating the cutter.
17. (currently amended) A method of obtaining a tissue sample comprising the steps of:
drawing tissue into a tissue receiving port of a hollow biopsy needle;
advancing a distal end of a hollow cutter in the needle to sever a tissue sample;
advancing a hollow sample tube in the cutter with the distal end of the hollow cutter disposed in the needle, to position the tissue sample in the sample tube, wherein the hollow sample tube has an open distal end, ~~wherein the open distal end comprises a distally facing opening defined by the distalmost perimeter of the open distal end,~~ wherein the tissue sample is axially received in the hollow sample tube through the ~~opening at the open distal end of the hollow sample tube during the act of advancing the hollow sample tube; and~~
removing the sample tube from the hollow cutter with at least one tissue sample positioned within the sample tube.

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18. (currently amended) The method of Claim 17 comprising stacking multiple samples in an end to end configuration within the sample tube.
19. (original) The method of Claim 17 comprising providing a vacuum through the sample tube.
20. (original) The method of Claim 17 comprising providing axial vacuum in the cutter with at least one sample disposed in the sample tube.